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February 11, 2021

VIA ECF

Honorable Ramon E. Reyes
United States Magistrate Judge
United States District Court
Eastern District of New York

Re: Jennifer Padilla v. City of New York, et al. 19-CV-3703 (RER)

Your Honor:

I am a Senior Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York, and the attorney assigned to represent defendants in the above-referenced matter. The parties write jointly to respectfully request that the Court extend the deadline to complete paper discovery from February 22, 2021 until March 15, 2021, and extend the time for the parties to complete depositions in this matter until March 29, 2021.

As the parties explained to the Court in their February 8, 2021 letter, the parties had scheduled the depositions of the parties in this matter for the week of January 18, 2021. Plaintiff's counsel first learned of an IAB investigation related to Ms. Padilla's arrest, defendant officer Bourne and plaintiff's step-father former NYPD detective John Phelan on January 18, 2021 when preparing for plaintiff's deposition scheduled the following day. Defendants were unaware, prior to this information, that there was an IAB investigation into Mr. Phelan's conduct stemming from the arrest of plaintiff. Plaintiff at that time made a discovery request for any interviews and materials stemming from the IAB investigation. The parties conferred, and on January 20, 2021, informed the Court of the situation. (Dkt. No. 33). As the parties stated in the January 20th letter, their joint position was that it was important to review any testimony given in connection with the IAB investigation prior to holding depositions of the parties.

On February 1, 2021, defendants filed a consent motion asking for additional time to provide a status report, because no further information had been received from NYPD. On February 5, 2021, defendants filed the most recent status update, informing the Court that while some records had been located with regard to an IAB investigation, they were still searching for any interviews and further materials. On February 2, 2021, defendants received preliminary

paperwork regarding the sought IAB investigation, and have made an expedited request to receive the interview summaries and interview audio files relating to that investigation.

The parties jointly represent that these interviews are material to this matter and would impact their preparation for deposition. The parties have been working together diligently since January 19, 2021, to try to identify the sought after materials with specificity and to obtain said materials. The reason for this discovery request is to allow the parties to obtain the interview materials, have sufficient time to review them, and thereafter depose witnesses.

For the foregoing reasons, the parties now respectfully request that the Court grant time until March 15, 2021, to obtain the interview materials, and grant time until March 29, 2021, for the parties to complete depositions in this matter.

Thank you for your consideration herein.

Respectfully submitted,
s/ Omar J. Siddiqi
Omar J. Siddiqi
Senior Counsel

cc: Gabriel Paul Harvis (By ECF)
Baree N Fett (By ECF)
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